

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Anton, et al.

Serial No. 08/918,130

Filed August 27, 1997

For: COSMETIC COMPOSITIONS

Examiner: Wang S.


Art Unit: 1617

X

STATEMENT BY ATTORNEY THAT APPLICATION PAPERS ARE A TRUE COPY
OF PRIOR APPLICATION (37 CFR 1.53(b)(1))

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed.

Respectfully Submitted,


Julie Blackburn
Reg. No. 32370

Revlon Consumer Products
Corporation
625 Madison Avenue
New York, New York 10022
(212) 527-5531

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C.

20231 on: Jan 18 2001

72

4

01/22/01
JC868 U.S. PTO

JC976 U.S. PTO
09/765703
01/22/01

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. Rev 96-3B

Most Immediate Prior application: 08/918,130

Examiner: Wang, S.

Art Unit: 1617

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

FILING OF CONTINUATION APPLICATION UNDER 37 CFR 1.53(b)(1)

This is a request for filing a

☒ Continuation

☐ Divisional

application under 37 CFR 1.53(b), of pending prior application

08/918,130, filed August 27, 1997
(date)

of **Waifong Liew Anton, Milan Bohuslav Bednarek, Joseph Frank Calello, Natividad Jose, Anjali Abhimanyu Patil, Julio Gans Russ, Robert Walter Sandewicz, and Ann Marshall Ureneck.**

(inventor)(s)

for: **COSMETIC COMPOSITIONS**
(title of invention)

1. Copy of Prior Application as Filed Which is Attached

☒ I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed.

The copy of the papers of prior application as filed which are attached are as follows:

- ☒ 19 page(s) of specification
- ☒ 3 page(s) of claims
- ☒ 1 page(s) of abstract
- ☐ 0 sheet(s) of drawing
- ☒ 2 pages of declaration and power of attorney

☒ my records reflect that the original
signed declaration showing applicant's signature
was filed on **April 16, 1998**.

☐ the amendment referred to in the declaration filed to complete the prior application's
signature was filed on _____.

2. Amendments

☒ Cancel in this application original claims 1-20 of the prior application before calculating the filing fee.

☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered **original** claim in the prior application.)

**3. Petition for Suspension of Prosecution for the Time
Necessary to File an Amendment.**

☐ There is provided herewith a Petition To Suspend Prosecution For The Time Necessary to File
An Amendment (New Application Filed Concurrently).

4. Fee Calculation (37 CFR 1.16)

CLAIMS AS FILED				
Number filed		Number Extra	Rate	Basic Fee
				710.00
Total				
Claims	20	20 -20 =	X	\$22.00
				000.00
Independent				
Claims	(37 CFR 1.16(b))	3 -3 =	X	
Multiple dependent claim(s), if any				
(37 CFR 1.16(d))	0		X	
Total Filing Fee			\$	710.00

☐ Fee for extra claims is not being paid at this time
(37 CFR 1.16(d))

5. Small Entity Status

☐ A verified statement that this filing is by a small
entity:
☐ is attached
☐ has been filed in the parent application and such
status is still proper and desired (37 CFR
1.28(a))
Filing Fee Calculation (50% of above) \$____

6. Drawings

WARNING: Do not check the following box if prior case is
not to be abandoned.

☐ Transfer the drawings from the prior application to

this application and, subject to item 17 below,
abandon said prior application as of the filing
date accorded this application. A duplicate copy
of this request is enclosed for filing in the prior
application file.

☐ Transfer the following sheet(s) of drawing from the
prior application to this application _____

☐ A **copy** of the amendment cancelling these sheets
of drawing in the prior application is attached

☐ New drawings are enclosed

☐ formal

☐ informal

7. Priority -- 35 U.S.C. 119

☐ Priority of application serial no. _____ filed
on _____ in _____ is
claimed under 35 U.S.C. 119.

☐ The certified copy has been filed in prior U.S.
application serial no. 0 / _____
on _____.

☐ The certified copy will follow.

8. Related Back -- 35 U.S.C. 120

☒ Amend the specification by inserting before the first
line the sentence:

"This is a

☒ continuation

☐ divisional

of copending application(s)

☒ **serial no. 08/918,130, filed August 27, 1997.**

☐ International Application _____ filed
on _____ and which designated the U.S.

9. Inventorship Statement

- (a) With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120 the inventor(s) in this application is (are):

(complete applicable item below)

☒ the same

☐ less than those named in the prior application and
it is requested that the following inventor(s) in
this application is (are):

(b) The inventorship for all the claims in this application are

☒ the same

☐ not the same, and an explanation, including the
ownership of the various claims at the time the
last claimed invention was made, is submitted.

10. Assignment

☒ The prior application is assigned of record to

Revlon Consumer Products Corporation,
625 Madison Avenue
New York, NY 10022

☐ an assignment of the invention to _____

is attached

11. Fee Payment Being Made At This Time

☐ Not Enclosed

☐ No filing fee is submitted. (This and the
surcharge required by 37 CFR 1.16(e) can be paid

subsequently).

☒ Enclosed

☒ basic filing fee \$ 710.00

☐ recording assignment
(\$8.00; 37 CFR 1.21(h)) \$ _____

☐ processing and retention fee
(\$120.00; 37 CFR 1.53(d) and 1.21(l)) \$ _____

Total fees enclosed \$ 710.00

12. Method of Payment of Fees

☐ enclosed is a check in the amount of \$ _____

☒ charge Account No. 18-1065 in the amount of
\$ 710.00

A duplicate of this request is attached.

13. Authorization To Charge Additional Fees

☒ The Commissioner is hereby authorized to charge the following additional fees which
may be required by this paper and during the entire pendency of the application to
Account No. 18-1065.

☒ 37 CFR 1.16(a), (f) or (g) (filing fees)

☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra
claims)

☒ 37 CFR 1.17 (application processing fees)

☐ 37 CFR 1.18 (issue fee at or before mailing Notice
of Allowance, pursuant to 37 CFR 1.311(b)).

14. Power of Attorney

a. ☒ The power of attorney appears in the original
papers in the prior application.

b. ☐ Since the power does not appear in the original
papers, a copy of the power in the prior
application is enclosed.

c. ☐ A new power has been executed and is attached.

d. ☒ Address all future communications to

Julie Blackburn, Esq. -

Revlon Consumer Products Corporation, Law Dept.

625 Madison Avenue,

New York, N.Y. 10022 (Reg. No. 32,370)

15. Maintenance of Copendency of Prior Application

☐ A petition, fee and response has been filed to extend the term in the pending prior

☐ A **copy** of the petition for extension of time in
the prior application is attached.

16. Conditional Petition for Extension of Time in Prior

Application

☐ a conditional petition for extension of time is being filed in the pending parent application.

☐ a **copy** of the conditional petition for extension of time in the prior application is attached.

Julie Blackburn Reg. No. 32370

Type or print name of person signing

Jan 18 2001

Date

Julie Blackburn
Signature

Revlon Consumer Products Corporation,
625 Madison Avenue
New York, NY 10022
(212) 527-5531

☒ Person authorized to sign on behalf of assignee

☒ Attorney or agent of record

☐ Filed under Rule 34(a)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: Jan 18 2001

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Julie Blackburn